

Who Will Control the Jails Beyond 2000? Controlling Inmates and Controlling Ourselves

“THE GOVERNMENT’S

responsibility to govern does not end at the prison gates; nor, for that matter, does its ability. Whether government can or should run cost-effective railroads, engineer economic prosperity, or negotiate us to international bliss may all be open questions. But government can and should run safe, humane, productive prisons at a reasonable cost to the taxpayers. No self-respecting government would abdicate or excuse itself from so central a duty. Prisons are a public trust to be administered in the name of civility and justice. Governing prisons is a public management task that we can learn to perform much better.” -John J. DiIulio, Jr., *Governing Prisons: A Comparative Study Of Correctional Management* (New York: The Free Press, 1987), p. 263.

ARE YOUR DAYS AS A JAIL

manager causing you to feel schizophrenic? Modern jail management can be provocative and frustrating, simple and complex. Management experts agree that few managerial positions can be simultaneously as dynamic and difficult as the profession we are in. One day you can experience great triumph in the face of impossible odds; the next week you can be mired in the swamp of abject failure.

The purpose of this article is to remind you of things you already know. Mostly, I wanted to put some of what I have picked

up about management and leadership into one document. I wanted to define my views of modern jails and further the concept of control. I have never believed in statements such as, “The inmates let us run this place,” or “They can take over whenever they want.” I have always been curious about the conditions that make good jails work, and what can be done to encourage those conditions in jails with problems.

HOW DO YOU KNOW YOU

have a problem? In February 1980, I held the position of Bureau Chief, Standards and Inspections Bureau, New Mexico Department of Corrections. I learned some valuable lessons as a result of 33 dead inmates and 12 victimized and violently brutalized corrections officers. One lesson was that such incidents can be prevented. We knew, or should have known, of the conditions at the New Mexico State Penitentiary. Little or nothing was done about it, but we knew.

I also learned from studying this incident and many others across the nation that

such events can be broken down into a number of elements that can result in a loss of control.

In general, the following indicators can signal a problem in a poorly managed correctional facility:

- Over time, the staff removes incentives for inmates to behave and comply with orders. There is a lack of clear policy and procedure.
- The staff’s negative coercive approach and inconsistency lead to hostility.
- A power vacuum is created in the inmate society; a new group of younger, more violent inmates has an interest in disturbing, rather than maintaining, order.
- As the inmate society becomes more violent, it splits into small cliques and gangs with no strong central leadership.

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- When inmates are identified as violent or assaultive, they often are segregated in “high power” or administrative segregation or discipline units.
- The staff grows increasingly frustrated with its inability to “control” and “punish” inmates in a constitutional way; lack of training, poor communication, and high staff turnover at all levels exacerbate this situation.
- The staff complains of confusing and conflicting policies from management.
- With the facility in a state of flux and lacking leadership, the day-to-day management of the jail falls into the hands of a combination of veteran officers and bad personnel.
- This environment only furthers officers’ and inmates’ frustration, creating a combustible facility.
- Then, a precipitating event occurs, such as litigation, a consent decree, an abrupt halt in transfers, an increase in facility crowding, an escape, or a disturbance.

MY REVIEW OF INCIDENTS

nationwide has helped to shape my opinion that there are two basic solutions to preventing loss of control. Elected officials and/or the hiring authority responsible for the jail must: 1) establish and fund an incentive-based policy for inmates, and 2) hire and hold accountable a stable, professional management team to implement that policy.

We are severely outnumbered and clearly unarmed in our jails. Often, we use only two methods to control our individual

personalities, and “write up and roll up” of inmates. We must try other methods, because the current system is not working.

Some who have studied jails have believed for many years that as jailers we are forced, for lack of other means of control, to enter into a corrupt alliance with inmates, tolerating violations of minor rules and regulations to secure compliance in the major areas of the custodial regime. To this day, many of our peers believe that jails cannot be run any other way. They simply do not believe that jails can be improved for staff or inmates.

EFFECTIVE CONTROL OF

inmates is one of the primary objectives of any jail. Control exists only when inmates accept and comply with the order established by management and staff. Control must not be confused with punishment, abuse, or even rigid containment of inmates. Rather, control is the art of getting inmates to comply with your governance of the jail in such a subtle way that they don’t know what is happening.

Control and order in our jails depend, in part, on ensuring that we are fair, humane, reasonable, and clear in our communications with inmates and staff. You cannot fake those characteristics; if you try, both groups will see right through you.

Many jail managers and line staff lose sight of these realities. They may believe that because we have the power and the equipment to deal with inmates and disturbances, we can afford to let the inmates manage themselves until something bad happens. Then we will be able to react effectively to what they have done.

However, it is better to prevent something bad from happening than to deal with consequences later. As the commercial some years ago stated, “It’s cheaper to pay for a new oil filter now than a whole new engine later.”

I personally favor as a form of jail management the principles of direct supervision developed by W. R. Nelson, former Chief of the National Institute of Corrections Jail Center. Through his initiative, hundreds of jails have been built since 1980 that reflect direct supervision principles. Quietly, deliberately, and with the conviction that good ideas always prevail, Nelson promulgated the principles nationwide. He was eventually awarded the American Correctional Association’s highest honor, the E. R. Cass Award for Excellence in Corrections. He has left as powerful a legacy on corrections as any of those before him.

I believe that direct supervision principles can work in most jails, unless staffing ratios exceed 1:64 and the physical design prevents visual access to the inmates. However, even if you do not have the benefit of a facility specifically designed for direct supervision, that does not release you from examining your staffing and physical plant design and exercising other forms of facility control and order.

WHERE TO BEGIN?

One of your first jobs as manager is to sit down with your staff and, with as much input from the bottom as possible, develop a common philosophy and mission. The mission should be revisited at least yearly and always serve as a guide. Remember throughout this process that our clients are our staff, the community, and the inmates.

Many questions can stimulate discussion among your management team to develop your mission and philosophy. My suggestions follow:

- **Decision-making**--What is our process for managing the jail and making decisions? Is it working? What could we do to improve our effectiveness? Is decision-making power concentrated at the top, or is it a collaborative process with line staff and middle managers?
- **Problem-solving**--Are we inclusive or exclusive when it comes to problem-solving? Do we involve enough staff, or do we attempt to solve all problems at the top of the organization?
- **Jail management and operations** (direct neglect vs. direct supervision vs. unit management)--Can we articulate our management and operations philosophy and principles? How do we manage our staff to get them to manage the inmates the way we want it done?
- **Inspections, audits, assessments, accountability**--What role do these tools play in the jail? Are they effective? What could we do to make them more so?
- **Levels of violence**--Staff first, then inmates: if staff are safe and secure, it will be easier to maintain safety and security for inmates. What has worked in reducing levels of violence? Do our staff feel safe and secure? What specifically can we do to improve their effectiveness and their safety/security?

- **Safety and health issues**--How is our compliance in these areas? What could be done to improve it?
- **Population density and population management**--How can we match inmate capacities with available staff? What are the political ramifications?
- **Facility security**--How would you describe our security and our efforts to enhance it? Where does technology come in? How do we balance the lengthy waiting periods for technology to come online with the constant turnover of staff? How can we improve in this area?
- **Staffing**--What about staff numbers and job descriptions, morale, training, development, encouragement, and the importance of the jail system to the rest of the department? If patrol is first on the hierarchy of importance, where do the jail, station jails, court lockups, and courtrooms fit in? How does the department's view of the jail affect the desire of staff to care about what they do here? Should we do anything to change these views?
- **Inmate classification and control**--Is our system the best in the nation? What will it take to improve it? How do we establish a system of classification? How do we easily explain the system to our employees and conduct training for them so that they can perform competently?
- **Risk management and litigation**--Do we consider these issues when making policy and implementing procedure?

- **Program service issues**--What role do programs play in inmate management? Are we taking full advantage of the school district, community services, and other resources to help manage our inmates and keep them busy?
- **Physical plant and preventive maintenance**--If the jail infrastructure is supposed to function for an average of 30 years, how can we extend the life cycle of our facilities? Where does this goal fit in with safety, security and sanitation issues? If it takes 5 to 10 years to bring a new jail on line, should we be planning for new facilities now even if funds are not available? What role do we have in motivating the public and politicians to support jail bond issues?
- **Staff**--What do our employees want? What do we need to give them so they can perform according to standards?
- **Community**--Who comprises our community? What do they need from us? What do we want from them?
- **Inmates**--What percentage of top management's time is taken up with concerns related to inmates versus those related to staff and community?
- **Model systems**--What constitutes a model? Where are these places? How many are close to us? When was the last time one of us toured another jail or correctional system to learn how others may be dealing with common issues?
- **Weak vs. real implementation**--How do we measure up? Are we good implementers? What could we do to improve? Why does it take so long for

things to happen? Should we be dealing with 5-year or 5-day plans because of the turnover of top management?

- **Threats to the jail system-AIDS,** growing and changing inmate populations, TB, mental health, lack of cells, etc. . . . what is coming that we need to prepare for? Will things done today make life easier tomorrow? Consider where we would be without the improvements we have already made.
- **Motivating the most personnel to move in the right direction-How** can we do this quickly, for the longest duration, and make it part of our "culture"?
- **Coordination vs. day-to-day crisis management-Are** we planning, organizing, directing, controlling? Are we ruled by our in-boxes and e-mail, or are we really getting closer to our mission and goals every day? Where will we be as a jail system in 3 months? What can we do now to make that possible? Do we spend most of our time and effort reacting to present events and conditions? How can we change this? What can we do as a management team? Are we looking ahead or behind, or merely at the end of our fingers instead of where our fingers are pointing?
- **Time management-How** do you rate yourself? What can you do to improve?
- **Leadership-Are** we under an exploitive autocracy, a benevolent autocracy, a bureaucracy, a consultative leadership, or a participative leadership?

What are the benefits of each? What is the role of first-line supervisors, middle management, and top management in the process? Are we all on the same page? What specific steps can we take?

LEADERSHIP AND

stability mean everything to successful jail management and operations. Few have said it better than John DiIulio in his definitive book, *Governing Prisons*. I encourage you to read Section III, "Improving Prisons," in its entirety.

In a section on correctional leadership and administrative stability, DiIulio observes what is necessary in well run correctional facilities:

Successful prison directors and institutional managers are not here today, gone tomorrow. They are in office long enough to learn the job, make plans, and implement them.

[T]hey are highly "hands-on" and pro-active. They pay close attention to details and do not wait for problems to arise but attempt to anticipate them. While they trust their subordinates and do their share of paperwork, they keep themselves focused on the prisons and what is actually happening inside of them. At the same time, they recognize the need for outside support. In short, they are strangers neither to the cellblocks nor to the aisles of the state legislature.

[T]hey act consciously to project an image of themselves that is appealing to a wide range of people both inside and outside of the organization.

[T]hey are dedicated and fiercely loyal to the department and see themselves as keepers engaged in a noble and challenging (if mostly thankless) profession. (ibid, p. 242)

Successful jail managers are few and far between for a variety of reasons. One important reality is that even if there were

many such jail managers ready and able to assume control of our jails, it would mean little-unless those jurisdictions where jail management positions are still political plums or not taken seriously do something to de-politicize and improve the views of jailing in their departments. As long as jail managers change every few years and middle managers play musical chairs, the kind of correctional leadership and administrative stability necessary to better jails will not be forthcoming.

Successful jail managers spend a lot of time inside jails listening to and supporting staff to fully understand the unique emotional and other job stresses shared by line level jail employees. After all, this is a job where everyday objects must be viewed as potentially lethal weapons.

Successful jail managers understand that the path to glory requires them to motivate all personnel to raise the quality of jail life. This is done in part through discarding self-defeating myths about jails in favor of a shared vision of good jail government.

THINGS WILL MOVE

quickly as we enter the next millennium. You had better get busy and regain control of your jail. If you don't, someone else will-inmates, courts, special masters, or private, for-profit companies. And what do any of them know about governing jails?

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